

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

JOE LOUIS BROOKS, #83462

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:08-cv-145-TSL-LRA

MAYOR JOHN ROBERT SMITH, et al.

DEFENDANTS

ORDER

Upon consideration of the plaintiff Joe Louis Brooks' response [19] and in accordance with the order of the United States Court of Appeals for the Fifth Circuit [17], this Court finds that the plaintiff timely deposited the notice of appeal into the institution's legal mail system. Accordingly, it is

ORDERED that the clerk prepare and send the record in the instant civil action to the United States Court of Appeals for the Fifth Circuit in accordance with the rules and procedures of that court.

THIS, the 21st day of December, 2009.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE